

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CHARLOTTE FRIEZE, JILL KERN and
DONNA REYNOLDS

PLAINTIFFS

V.

ABBOTT LABORATORIES, et al.

DEFENDANTS

CASE NO: CV 06-0509

STIPULATION
DISCONTINUING
ACTION WITH
PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for Plaintiff's; **Charlotte Frieze, Jill Kern, Donna Reynolds and Defendant, DART INDUSTRIES, INC., (formerly known as REXALL DRUG COMPANY hereinafter "Rexall")**, in the above-entitled action, that whereas no party is an infant or incompetent person for whom a committee has been appointed or conservatee and no person, not a party has an interest in the subject matter of this action, the above-entitled action be, and the same hereby is discontinued with prejudice as against Rexall and without costs to any party hereto as against the other. This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York, this 21st day of April, 2009.

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So Ordered:

J. Weinstein
Judge Jack B. Weinstein
4/21/09